

# Exhibit B

**From:** [Stephen Stern](#)  
**To:** [Gregory Jordan](#)  
**Cc:** [tgagliardo@gelawyer.com](mailto:tgagliardo@gelawyer.com); [Heather Yeung](#)  
**Subject:** RE: Boshea v. Compass Marketing, Inc. - Rebuttal Expert Report  
**Date:** Monday, November 1, 2021 7:08:22 PM  
**Attachments:** [image001.png](#)  
[Rebuttal Expert Disclosure \(00156441xEC90E\).pdf](#)

---

Attached is Compass Marketing's Rebuttal Expert Disclosure.



**Stephen B. Stern, Esq.**  
[stern@kaganstern.com](mailto:stern@kaganstern.com)

**Kagan Stern Marinello & Beard, LLC**  
(410) 793-1610 (direct)  
(410) 216-7900, ext. 1009  
(410) 705-0836 (fax)  
238 West Street  
Annapolis, Maryland 21401  
[www.kaganstern.com](http://www.kaganstern.com)

**From:** Stephen Stern  
**Sent:** Monday, November 1, 2021 10:15 AM  
**To:** Gregory Jordan <[gjordan@jz-llc.com](mailto:gjordan@jz-llc.com)>  
**Cc:** [tgagliardo@gelawyer.com](mailto:tgagliardo@gelawyer.com); [Heather Yeung <yeung@kaganstern.com>](mailto:Heather Yeung <yeung@kaganstern.com>)  
**Subject:** Boshea v. Compass Marketing, Inc. - Rebuttal Expert Report

Greg:

Attached is Compass Marketing's expert rebuttal report, which incorporates an analysis of the signature in question. Included with the report are the necessary disclosure materials regarding Mr. Payne's credentials and his testimony/litigation history.

Stephen



**Stephen B. Stern, Esq.**  
[stern@kaganstern.com](mailto:stern@kaganstern.com)

**Kagan Stern Marinello & Beard, LLC**  
(410) 793-1610 (direct)  
(410) 216-7900, ext. 1009  
(410) 705-0836 (fax)  
238 West Street  
Annapolis, Maryland 21401  
[www.kaganstern.com](http://www.kaganstern.com)

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MARYLAND  
(Northern Division)**

**DAVID J. BOSHEA**

**Plaintiff,**

**v.**

**COMPASS MARKETING, INC.**

**Defendant.**

\*  
\*  
\*  
\*  
\*  
\*  
\*  
\*  
\*  
\*

**Case No. 1:21-CV-00309-ELH**

\* \* \* \* \*

**DEFENDANT COMPASS MARKETING, INC.'S REBUTTAL EXPERT DISCLOSURE**

Defendant Compass Marketing, Inc. (“Compass Marketing”), by and through its undersigned counsel and pursuant to Rule 26(a)(2)(C) as well as this Court’s Scheduling Order [Dkt. No. 20], hereby makes the following Rebuttal Expert Disclosure.

1. Statement of Opinions the Rebuttal Expert Witness is Expected to Present.

Compass Marketing has retained Jeffrey A. Payne, a forensic document examiner, to provide a rebuttal report/analysis in response to the findings provided by Donna O. Eisenberg, who was designated by Plaintiff David Boshea (“Boshea”) to provide an expert opinion. In connection with Mr. Payne’s rebuttal of Ms. Eisenberg’s opinion/analysis, Mr. Payne provided an opinion/analysis as to whether the Compass Marketing, Inc. Agreement Relating to Employment and Post-Employment Competition (the “Alleged Agreement”) upon which Boshea relies in bringing this lawsuit and which is attached to the Original Complaint for Breach of Contract (the “Original Complaint”) and Amended Complaint for Breach of Contract (the “Amended Complaint”) as Exhibit A was signed by John White, Compass Marketing’s CEO. A copy of Mr. Payne’s CV is

attached to the report(s) that was served on Boshea's counsel via email on November 1, 2021 at approximately 10:15 a.m.

As set forth in Mr. Payne's report(s), Compass Marketing expects that Mr. Payne will testify that it is highly probable that John White did not sign the Alleged Agreement and that the signature purporting to be John White's signature is a forgery. The reasons for Mr. Payne's conclusion are set forth in his report. In addition, Compass Marketing expects that Mr. Payne will testify as to numerous deficiencies with the opinion/analysis provided by Ms. Eisenberg, the details of which are set forth in Mr. Payne's rebuttal report.

2. Facts and Data Considered by Mr. Payne in Forming his Opinion.

All facts and data relied on by Mr. Payne are detailed in the reports he prepared, which were served on Boshea's counsel via email on November 1, 2021 at approximately 10:15 a.m.

3. Exhibits Used to Summarize or Support Mr. Payne's Opinion.

Any exhibits relied on by Mr. Payne in reaching his opinion are identified and included in the report(s) Mr. Payne prepared and which were served on Boshea's counsel via email on November 1, 2021 at approximately 10:15 a.m.

4. Mr. Payne's Qualifications.

See Appendix 1 to the report prepared by Mr. Payne, which was served on Boshea's counsel via email on November 1, 2021 at approximately 10:15 a.m.

5. Mr. Payne's Cases in Which he Testified During the Previous Four Years.

See page 4 (of 11) of the report prepared by Mr. Payne, which was served on Boshea's counsel via email on November 1, 2021 at approximately 10:15 a.m.

6. Mr. Payne's Compensation.

See page 11 (of 11) of the report prepared by Mr. Payne, which was served on Boshea's counsel via email on November 1, 2021 at approximately 10:15 a.m.

Dated: November 1, 2021

Respectfully submitted,

/s/ Stephen B. Stern

Stephen B. Stern, Bar No.: 25335

Heather K. Yeung, Bar No.: 20050

KAGAN STERN MARINELLO & BEARD, LLC

238 West Street

Annapolis, Maryland 21401

(Phone): (410) 216-7900

(Fax): (410) 705-0836

Email: [stern@kaganstern.com](mailto:stern@kaganstern.com)

Email: [yeung@kaganstern.com](mailto:yeung@kaganstern.com)

*Counsel for Defendant*

*Compass Marketing, Inc.*

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this 1st day of November, 2021, the foregoing Defendant  
Compass Marketing, Inc.'s Rebuttal Expert Disclosure was served on the following via email:

Thomas J. Gagliardo  
Gilbert Employment Law, PC  
1100 Wayne Avenue, Suite 900  
Silver Spring, MD 20910  
Email: tgagliardo@gelawyer.com

Gregory J. Jordan  
Mark Zito  
Jordan & Zito, LLC  
350 N. LaSalle Drive, Suite 1100  
Chicago, Illinois 60654  
Email: gjordan@jz-llc.com

*Attorneys for Plaintiff David Boshea*

/s/ Stephen B. Stern  
Stephen B. Stern